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June 13, 2007

City of Santa Barbara City Council
c/o City Clerk
735 Anacapa Street
Santa Barbara, CA 93101

SUBJECT: Appeal of Planning Commission Decision of June 7, 2007
Agenda Item III: Hawkes Mixed Use Project
1829 State Street & 11 W. Pedregosa Street (MST # 2004-00132)

Honorable City Councilmembers:

Upon behalf of the applicant, Hawkes Family Trust, please accept this appeal request of the City of Santa Barbara's Planning Commission decision of June 7, 2007, related to the Hawkes Mixed Use Project at 1829 State Street & 11 W. Pedregosa Street (MST # 2004-00132). The applicant's project team has been working diligently for over three years, at great expense and emotional investment, to formulate an appropriate plan for this former gas station site (now vacant and undergoing remediation) and dilapidated residential property. We believe that the project, with the appropriate revisions, could be a wonderful asset for the City. We ask that you accept our appeal of the Planning Commission decision of June 7, 2007, and remand the project with the revisions identified below back to Planning Commission for further consideration.

Briefly, the project denied on June 7th consisted of a request for approval of approximately 2,360 square feet of non-residential office/ retail space and six (6) residential condominium units (with 2-4 bedrooms each) on an 18,458 square foot lot. The three-story building, with roof patio elements, was to be 25,981 net square feet (Net Commercial: 2,360 SF/ Net Residential: 13,349 SF/ Net Garage: 10,272 SF) and would have provided 23 parking spaces.

The project was presented to the Planning Commission on March 8, 2007 and June 7, 2007. We received positive, but constructive criticism of the project design at the March 8th Planning Commission hearing. Major comments included the following:

- Revise Project to include more openness on State Street.
- Provide more landscaping on State Street.
- Provide an improved bus stop.
- Study lowering the parking garage further to help reduce overall project height.
- Push the mass towards the center of the project site, as opposed to State Street.
- Study elimination of all modifications, unless there is a strong public benefit.
- Planning Commission does not recommend limiting types of commercial uses.
- Study use of photo voltaics.

The project team attempted to respond to the March 8th comments of the Planning Commission by increasing setbacks and landscaping along State Street, by committing to work with HLC and MTD on an improved bus shelter fronting on State Street, by lowering the plate heights and moving a tower mass towards the central portion of the building, and by committing to build to a two-star green standard. As evidenced by the decision for project denial on June 7, 2007, we obviously had not proceeded far enough in satisfying Planning Commission concerns.

On June 7th, we heard from the Planning Commission that they were unwilling to consider any regulatory modifications unless the project could demonstrate a clear public benefit, that the project's volume and bulk was still too big, and that the individual residential units were too large. We indicated at the June 7th hearing that we appreciated Planning Commission's comments, that we had misunderstood their earlier direction and that we desired a continuance to be able to refine the project further. As should be reflected in the minutes, both the Planning Commission and the applicant's project team were willing to consider further revisions of the project at a subsequent hearing, but due to Permit Streamlining Act requirements, the Planning Commission was forced to make a decision on the project as presented on June 7th and determined that the site was not physically suitable for the proposed development and that without the Planning Commission's support of the modifications, the tentative parcel map would be inconsistent with zoning and could not, therefore, be approved.

Should the Council allow the project to be remanded to Planning Commission for further review and deliberation, we would propose the following project revisions:

- Eliminate the need for all requested setback and parking modifications.
- Reduce larger residential unit sizes by an average of 10%-20%.
- Increase first floor building setbacks along State Street from average of 2'-4' to 6'-10'.
- Reduce the overall volume and bulk of the building.
- Limit the visibility of third story elements.
- Increase setbacks from adjacent residential areas as well as from State Street and Pedregosa Street.
- Increase landscaping and open space on-site.
- Commit to allowing public access to the project's internal paseo/ courtyard during regular business hours.
- Incorporate "green" energy efficiency/ alternative energy source features to be consistent with the City's Solar Energy System Design Guidelines & Solar Recognition Program (2006).

If given the opportunity to revise the project in accordance with the above provisions, we feel that the earlier concerns identified by your Planning Commission could be effectively addressed and that the project could be an asset to the City. We, therefore, respectfully request your granting of our appeal to allow for further revisions and consideration of the Hawkes Mixed Use Project by remanding the Project back to the Planning Commission. Should you have any questions or concerns regarding this appeal request, please do not hesitate to contact me at (805) 963-0651, ext. 3528, or via email at twhite@dudek.com.

Most sincerely,



Troy A. White, AICP
Senior Environmental Planner

Attachments

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